

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 33800

STATE OF IDAHO,)	2008 Unpublished Opinion No. 388
)	
Plaintiff-Respondent,)	Filed: March 5, 2008
)	
v.)	Stephen W. Kenyon, Clerk
)	
SEAN GREGORY PORTER,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Sixth Judicial District, State of Idaho, Bannock County. Hon. N. Randy Smith, District Judge.

Judgment of conviction and unified sentence of seventy years, with a minimum period of confinement of seven years, for lewd conduct with a child under sixteen, affirmed.

Molly J. Huskey, State Appellate Public Defender; Diane M. Walker, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

PER CURIAM

Sean Gregory Porter was convicted of lewd conduct with a child under sixteen, Idaho Code § 18-1508. The district court imposed a unified sentence of seventy years, with a minimum period of confinement of seven years. Porter appeals, contending that the sentence is excessive.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of a sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho

722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Porter's judgment of conviction and sentence are affirmed.